

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JOHN L. STONE,	)	CASE NO. 4: 10 CV 276
	)	
Petitioner,	)	
	)	JUDGE DONALD C. NUGENT
v.	)	
	)	
MAGGIE BEIGHTLER, Warden,	)	<u>MEMORANDUM OPINION</u>
	)	<u>AND ORDER</u>
Respondent.	)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge James R. Knepp II. The Report and Recommendation is ADOPTED by this Court (ECF # 9), and Petitioner's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 is DENIED (ECF # 1).

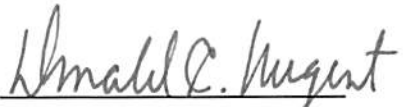
Pursuant to Local Rule 72.2, this matter was referred to Magistrate Judge Knepp for the preparation of a report and recommendation. In his Report and Recommendation, Magistrate Judge Knepp recommended that the Petition be denied. Thereafter, Petitioner filed objections to the Report and Recommendation (ECF # 10).

The Court has reviewed the Report and Recommendation *de novo*. See *Thomas v. Arn*, 474 U.S. 140 (1985). Moreover, it has considered all of the pleadings, affidavits, motions, and filings of the parties. Despite Petitioner's assertions to the contrary, the Court finds Magistrate Judge Knepp's Report and Recommendation to be well-written, well-supported, and correct. The Court likewise finds Petitioner's objections to the Report and Recommendation to be lacking in merit. Therefore, the Report and Recommendation is ADOPTED in its entirety (ECF # 9), the Petition for Writ of Habeas Corpus is DENIED (ECF # 1), and Petitioner's objections are thereby DENIED

(ECF # 10).

Furthermore, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); FED. R. APP. P. 22(b).

IT IS SO ORDERED.

  
DONALD C. NUGENT  
United States District Judge

DATED: February 10, 2011